

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DESHAWN BANKS, ANDY RAMOS, and
TERRECK LaGRAND,

Plaintiffs,

-v-

OFFICER WILLIAM,

Defendant.

X-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>5/14/12</u>

REPORT & RECOMMENDATION

11 Civ. 8667 (GBD) (JLC)

JAMES L. COTT, United States Magistrate Judge.

A complaint in this matter was filed on November 18, 2011. (Dkt. No. 2). By multiple orders, the Court directed plaintiffs Andy Ramos and Terreck LaGrand, who are proceeding pro se, to submit certain documentation to the Court. (See Dkt. Nos. 10, 15, 16). In particular, both Ramos and LaGrand were directed to resubmit the signature page of the Complaint with an original signature and to either pay the \$350 filing fee or submit a completed separate Request to Proceed In Forma Pauperis (“IFP application”). LaGrand was also directed to submit a Prisoner Authorization form. The Court advised plaintiffs that failure to do so would lead to a recommendation that their claims be dismissed.

Despite numerous extensions, there is no indication from the docket that Ramos has submitted an original signature page of the Complaint. While Ramos did submit an IFP application and a Prisoner Authorization form, he was not required to submit a Prisoner Authorization form because he is no longer incarcerated. Accordingly, I recommend that his claims be dismissed.

Likewise, LaGrand has failed to submit any of the required documentation, including the signature page of the Complaint, the IFP application, or the Prisoner Authorization form.

USDC SDNY
DATE SCANNED 5/14/12

Accordingly, I recommend that his claims be dismissed.

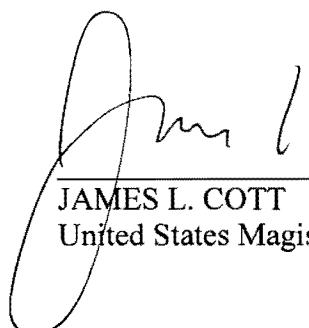
PROCEDURE FOR FILING OBJECTIONS

Pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure, the parties shall have fourteen (14) days from service of this Report to file written objections. See also Fed. R. Civ. P. 6. Such objections, and any responses to objections, shall be filed with the Clerk of Court, with courtesy copies delivered to the chambers of the Honorable George B. Daniels and the undersigned, United States Courthouse, 500 Pearl Street, New York, New York, 10007. Any requests for an extension of time for filing objections must be directed to Judge Daniels. **FAILURE TO FILE OBJECTIONS WITHIN FOURTEEN (14) DAYS**

WILL RESULT IN A WAIVER OF OBJECTIONS AND WILL PRECLUDE

APPELLATE REVIEW. See Thomas v. Arn, 474 U.S. 140, 154 (1985); Wagner & Wagner, LLP v. Atkinson, Haskins, Nellis, Brittingham, Gladd & Carwile, P.C., 596 F.3d 84, 92 (2d Cir. 2010) (citing Cephas v. Nash, 328 F.3d 98, 107 (2d Cir. 2003) and Mario v. P&C Food Mkts., Inc., 313 F.3d 758, 766 (2d Cir. 2002)); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72. If Plaintiff does not have access to cases cited herein that are reported on LEXIS/WESTLAW, he should request copies from Defendants' counsel. See Lebron v. Sanders, 557 F.3d 76, 79 (2d Cir. 2009) (noting that the Court may ask opposing counsel to provide to a pro se litigant copies of decisions that are available electronically).

Dated: New York, New York
May 14, 2012



JAMES L. COTT
United States Magistrate Judge

Copies of this Report & Recommendation have been sent to counsel by ECF and by mail to:

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